

REMARKS

Claims 1-17, 22-24, 26, 38, 40-41, and 45 are pending in this application. In the Office Action, claims 1-17, 22-24, 26, and 45 were allowed; claims 38 and 39 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,717,131 (Dugas); and claims 40 and 41 were objected to as being dependent upon a rejected base claim. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Claim 38 was rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Dugas. Applicant has herein amended claim 38 to include "a fastener affixed proximate the thru-hole" on each set of support brackets. Support for this amendment can be found in the specification on page 8, lines 8-14. This aspect of the claimed invention is clearly absent from Dugas. For example, Dugas discusses turning wing nuts 44, 46 to position the axial beam 30. Col. 3, lines 13-22. Since all aspects of the claimed invention are not shown by Dugas, Applicant respectfully requests withdrawal of the rejection of claim 38 under 35 U.S.C. § 102(b).

Claims 40 and 41 were objected to as being dependent upon a rejected base claim. By this amendment, Applicant has rewritten claim 40 in independent form, from which claim 41 depends. Therefore, Applicant respectfully requests withdrawal of these objections.

CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,



Ronald A. D'Alessandro
Reg. No.: 42,456

Date: 8/5/02

Hoffman, Warnick & D'Alessandro LLC
Three E-Comm Square
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Madelone

Art Unit: 3632

Serial No.: 09/368,011

Docket No.: MADE-0001

Filing Date: August 3, 1999

Examiner: Wood, K.

Title: UNIVERSAL FIXTURE SYSTEM
AND BASE THEREFOR

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

RECEIVED
AUG 15 2002
GROUP 3600

VERSION OF CLAIMS WITH MARKINGS TO SHOW THE CHANGES MADE

- 1 38. (Twice Amended) A base, comprising:
- 2 an elongate body having a first end and a second end;
- 3 a first set of support brackets positioned adjacent the first end and a second set of support
- 4 brackets positioned adjacent the second end, wherein each set of support brackets includes a thru-
- 5 hole and a fastener affixed proximate the thru-hole; and
- 6 a threaded aperture in the elongate body between the first and second ends.

40. (Amended) [The base of claim 38, further comprising] A base, comprising:

an elongate body having a first end and a second end;

a first set of support brackets positioned adjacent the first end and a second set of support brackets positioned adjacent the second end, wherein each set of support brackets includes a thru-hole;

a threaded aperture in the elongate body between the first and second ends; and

a base plate assembly, wherein the base plate assembly includes:

a base plate;

a base coupling affixed to the base plate; and

a threaded segment for engaging the threaded aperture in the base.